1	Dave R. Lampe (SI	3N 7710Ó)	
2	Andrew Sheffield (SBN 220735) LAW OFFICES OF		
3	LeBeau • Thelen, LLP 5001 East Commercenter Drive, Suite 300		
4	Post Office Box 12092 Bakersfield, California 93389-2092		
5	(661) 325-8962; Fax (		
6	Attorneys for DIAMOND FARM	IING COMPA	NY
7	a California corporation	30 C S S S S S S S S S S S S S S S S S S	## YY <b>*</b>
8			
9	SUPERIOR	COURT OF	THE STATE OF CALIFORNIA
2000	IN AND	FOR THE CO	DUNTY OF LOS ANGELES
10	:		The state of the s
11			
12	Coordination Proceeding Specia (Rule 1550 (b))	I Title	Judicial Council Coordination No. 4408
13	ANTELOPE VALLEY GROUN	DWATER	Case No.: 1-05-CV-049053
14	5. Sanda Meso Shares.		REQUESTS FOR ADMISSIONS
15	Included actions:		[SET ONE]; DECLARATION FOR ADDITIONAL DISCOVERY
16	Los Angeles County Waterwork 40 vs. Diamond Farming Compa		
17	Los Angeles Superior Court Case No. BC 325201	ıty	8
18	Service and the service of the servi		
	Los Angeles County Waterwork 40 vs. Diamond Farming Compa	District No.	
19	Kern County Superior Court Case No. S-1500-CV 254348 NF		
20			
21	Diamond Farming Company vs. Lancaster	7	
22	Riverside County Superior Court Lead Case No. RIC 344436 [Con	solidated	
23	w/Case Nos. 344668 & 353840]	Section 1	Action to the second control of the second c
24			
25	PROPOUNDING PARTY :	DIAMON	JD FARMING COMPANY
26	The state of the s	80480-434-13-13-13-13-13-13-13-13-13-13-13-13-13-	The second state of the second state of the second
	RESPONDING PARTY :	EACH SUPPLIE	CROSS-COMPLAINING PUBLIC WATER R LISTED ON EXHIBIT 1
27	SET NO.	ONE	
28			
	REC	UESTS FOR AL	DMISSIONS [SET ONE]
.10			

1	DIAMOND FARMING COMPANY requests that responding party admit under oath for	
2	purposes of this action the truth of the following facts within 30 days after service hereof, all	
3	accordance with Code of Civil Procedure section 2033.010, et seq.	
4	<u>DEFINITIONS</u>	
5	(a) YOU includes you, the responding party, your agents, your employees, your consultants,	
6	their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting	
7	on your behalf,	
8	(b) PERSON includes a natural person, firm, association, organization, partnership, business	
9	trust, limited liability company, corporation, or public entity.	
10	(c) BASIN means the area located within the jurisdictional boundary of the Antelope Valley	
11	Groundwater Cases as defined by the Revised Order After Hearing on Jurisdictional Boundary dated	
12	March 12, 2007.	
13	REQUESTS FOR ADMISSIONS	
14	REQUEST NO. 1:	
15	Admit that YOU are a PERSON as defined in the definitions above.	
16	REQUEST NO. 2:	
17	Admit that YOU are a public entity.	
18	REQUEST NO. 3:	
19	Admit that YOU did not provide notice in writing to any landowner that your use of groundwater	
20	from within the BASIN was adverse to their right to use groundwater before October 29, 1999.	
21	REQUEST NO. 4:	
22	Admit that YOU did not provide notice in writing to any landowner that your use of groundwater	
23	from within the BASIN was adverse to their title to their real property at any time before October 29,	
24	1999.	
25	REQUEST NO. 5:	
26	Admit that YOU did not provide notice in writing to any landowner that you claimed	
27	prescriptive right to use groundwater from within the BASIN before October 29, 1999.	
8		

REQUESTS FOR ADMISSIONS [SET ONE]

1	REQUEST NO. 6:
2	Admit that YOU have not physically trespassed upon any landowner's property within the
3	BASIN.
4	REQUEST NO. 7:
5	Admit that when YOU first started using groundwater from within the BASIN, that your ther
6	use was at that time lawful.
7	REQUEST NO. 8:
8	Admit that when YOU first started using groundwater from within the BASIN, that your then
9	use was not adverse to the overlying right of any landowner.
10	REQUEST NO. 9:
11	Admit that when YOU first started using groundwater from within the BASIN, you were not
12	invading the overlying right of any landowner.
13	REQUEST NO. 10;
14	Admit that before October 29, 1999, YOU were not asserting an adverse claim of right to use
15	groundwater from within the BASIN.
16	REQUEST NO. 11:
17	Admit that before October 29, 1999, no landowner had actual notice that YOU were asserting
18	an adverse claim of right to use groundwater from within the BASIN.
19	REQUEST NO. 12:
20	Admit that before October 29, 1999, no landowner had constructive notice that YOU were
21	asserting an adverse claim of right to use groundwater from within the BASIN.
22	REQUEST NO. 13:
23	Admit that as of January 1, 1985, YOU knew that the groundwater supply of the BASIN was
24	being overdrafted.
25	REQUEST NO. 14;
26	Admit that as of January 1, 1986, YOU knew that the groundwater supply of the BASIN was
27	being overdrafted.
28	
	REQUESTS FOR ADMISSIONS [SET ONE]

1	REQUEST NO. 15:	
2	Admit that as of January 1, 1987, YOU knew that the groundwater supply of the BASIN wa	s
3	being overdrafted.	
4	REQUEST NO. 16:	
5	Admit that as of January 1, 1988, YOU knew that the groundwater supply of the BASIN was	S
6	being overdrafted.	
7	REQUEST NO. 17:	
8	Admit that as of January 1, 1989, YOU knew that the groundwater supply of the BASIN was	5
9	being overdrafted.	S
10	REQUEST NO. 18:	
11	Admit that as of January 1, 1990, YOU knew that the groundwater supply of the BASIN was	
12	being overdrafted.	
13	REQUEST NO. 19:	
14	Admit that as of January 1, 1991, YOU knew that the groundwater supply of the BASIN was	N.C.
15	being overdrafted.	-
16	REQUEST NO. 20:	
17	Admit that as of January 1, 1992, YOU knew that the groundwater supply of the BASIN was	
18	being overdrafted.	
19	REQUEST NO. 21:	
20	Admit that as of January 1, 1993, YOU knew that the groundwater supply of the BASIN was	
21	being overdrafted.	
22	REQUEST NO. 22:	
23	Admit that as of January 1, 1994, YOU knew that the groundwater supply of the BASIN was	
24	being overdrafted.	
25	REQUEST NO. 23:	
26	Admit that as of January 1, 1995, YOU knew that the groundwater supply of the BASIN was	
27	being overdrafted.	
28	<b>1</b>	
	REQUESTS FOR ADMISSIONS [SET ONE]	-

1	REQUEST NO. 24:
2	Admit that as of January 1, 1996, YOU knew that the groundwater supply of the BASIN was
3	being overdrafted.
4	REQUEST NO. 25:
5	Admit that as of January 1, 1997, YOU knew that the groundwater supply of the BASIN was
6	being overdrafted.
7	REQUEST NO. 26:
8	Admit that as of January 1, 1998, YOU knew that the groundwater supply of the BASIN was
9	being overdrafted.
10	REQUEST NO. 27:
11	Admit that as of January 1, 1999, YOU knew that the groundwater supply of the BASIN was
12	being overdrafted.
13	REQUEST NO. 28:
14	Admit that as of January 1, 2000, YOU knew that the groundwater supply of the BASIN was
15	being overdrafted.
16	REQUEST NO. 29:
17	Admit that as of January 1, 2001, YOU knew that the groundwater supply of the BASIN was
18	being overdrafted.
19	REQUEST NO. 30;
20	Admit that as of January 1, 2002, YOU knew that the groundwater supply of the BASIN was
21	being overdrafted.
22	REQUEST NO. 31:
23	Admit that as of January 1, 2003, YOU knew that the groundwater supply of the BASIN was
24	being overdrafted.
25	REQUEST NO. 32:
26	Admit that as of January 1, 2004 YOU knew that the groundwater supply of the BASIN was
27	being overdrafted.
28.	
- 11	5

REQUESTS FOR ADMISSIONS [SET ONE]

	· I
1	REQUEST NO. 33:
2	Admit that as of January 1, 2005, YOU knew that the groundwater supply of the BASIN wa
3	
4	REQUEST NO. 34:
5	Admit that as of January 1, 2006, YOU knew that the groundwater supply of the BASIN was
6	A
7	REQUEST NO. 35:
8	Admit that as of January 1, 2007, YOU knew that the groundwater supply of the BASIN was
9	being overdrafted.
10	REQUEST'NO: 36;
11	Admit that as of January 1, 1985, YOU believed that the groundwater supply of the BASIN was
12	being overdrafted.
13	REQUEST NO. 37:
14	Admit that as of January 1, 1986, YOU believed that the groundwater supply of the BASIN was
15	being overdrafted.
16	REQUEST NO. 38:
17	Admit that as of January 1, 1987, YOU believed that the groundwater supply of the BASIN was
18	being overdrafted.
19	REQUEST NO. 39:
20	Admit that as of January 1, 1988, YOU believed that the groundwater supply of the BASIN was
21	being overdrafted.
22	REQUEST NO. 40:
23	Admit that as of January 1, 1989, YOU believed that the groundwater supply of the BASIN was
24	being overdrafted.
25	REQUEST NO. 41: Admit that as of January 1, 1990, YOU believed that the groundwater supply of
26	the BASIN was being overdrafted.
27	H
28	
	REQUESTS FOR ADMISSIONS [SET ONE]

1	REQUEST NO. 42:
2	Admit that as of January 1, 1991, YOU believed that the groundwater supply of the BASIN was
3	being overdrafted.
4	REQUEST NO. 43:
5	Admit that as of January 1, 1992, YOU believed that the groundwater supply of the BASIN was
6	being overdrafted.
7	REQUEST NO. 44:
8	Admit that as of January 1, 1993, YOU believed that the groundwater supply of the BASIN was
9	being overdrafted.
10	REQUEST NO. 45:
11	Admit that as of January 1, 1994, YOU believed that the groundwater supply of the BASIN was
12	being overdrafted.
13	REQUEST NO. 46:
14	Admit that as of January 1, 1995, YOU believed that the groundwater supply of the BASIN was
15	being overdrafted.
16	REQUEST NO. 47:
17	Admit that as of January 1, 1996, YOU believed that the groundwater supply of the BASIN was
18	being overdrafted.
19	REQUEST NO. 48:
20	Admit that as of January 1, 1997, YOU believed that the groundwater supply of the BASIN was
21	being overdrafted.
22	REQUEST NO. 49:
23	Admit that as of January 1, 1998, YOU believed that the groundwater supply of the BASIN was
24	being overdrafted.
25	REQUEST NO. 50:
26	Admit that as of January 1, 1999, YOU believed that the groundwater supply of the BASIN was
27	being overdrafted.
28	
	REQUESTS FOR ADMISSIONS [SET ONE]

1	REQUEST NO. 51:		
2	Admit that as of January 1, 2000, YOU believed that the groundwater supply of the BASIN wa		
3			
4	REQUEST NO. 52:		
5	Admit that as of January 1, 2001, YOU believed that the groundwater supply of the BASIN wa		
6			
7	REQUEST NO. 53:		
8	Admit that as of January 1, 2002, YOU believed that the groundwater supply of the BASIN was		
9	being overdrafted.		
10	REQUEST NO. 54:		
11	Admit that as of January 1, 2003, YOU believed that the groundwater supply of the BASIN was		
12			
13	REQUEST NO. 55:		
14	Admit that as of January 1, 2004 YOU believed that the groundwater supply of the BASIN was		
15	being overdrafted.		
16	REQUEST NO. 56:		
17	Admit that as of January 1, 2005, YOU believed that the groundwater supply of the BASIN was		
18	being overdrafted.		
19	REQUEST NO. 57:		
20	Admit that as of January 1, 2006, YOU believed that the groundwater supply of the BASIN was		
21	being overdrafted.		
22	REQUEST NO. 58:		
23	Admit that as of January 1, 2007, YOU believed that the groundwater supply of the BASIN was		
24	being overdrafted.		
25	REQUEST NO. 59:		
26	Admit that after YOU knew that the groundwater supply within the BASIN was being		
27	overdrafted, that YOU issued will-serve letters for new developments within your jurisdiction.		
28			
	REQUESTS FOR ADMISSIONS [SET ONE]		

## REQUEST NO. 60:

Admit that after YOU knew that the groundwater supply within the BASIN was being overdrafted, that YOU issued will-serve letters for new developments within your jurisdiction that had been approved on the basis of a negative declaration.

If you fail to comply with the provisions of Section 2033 of the Code of Civil Procedure with respect to this Request for Admissions, each of the matters of which an admission is requested may be deemed admitted.

Dated: May 25, 2007

Lebeau • Thelen, LLP

Attorneys for DIAMOND FARMING COMPANY, a California corporation

1 Bob H. Joyce, (SBN 84607) Dave R. Lampe (SBN 77100) 2 Andrew Sheffield (SBN 220735) LAW OFFICES OF 3 LEBEAU • THELEN, LLP 5001 East Commercenter Drive, Suite 300 Post Office Box 12092 Bakersfield, California 93389-2092 5 (661) 325-8962; Fax (661) 325-1127 Attorneys for DIAMOND FARMING COMPANY, 6 a California corporation 7 8 9 SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 IN AND FOR THE COUNTY OF LOS ANGELES 11 12 Coordination Proceeding Special Title Judicial Council Coordination No. 4408 (Rule 1550 (b)) 13 ANTELOPE VALLEY GROUNDWATER Case No.: 1-05-CV-049053 14 CASES DECLARATION FOR ADDITIONAL 15 Included actions: DISCOVERY (REQUEST FOR ADMISSIONS) 16 Los Angeles County Waterworks District No. 40 vs. Diamond Farming Company 17 Los Angeles Superior Court Case No. BC 325201 18 Los Angeles County Waterworks District No. 19 40 vs. Diamond Farming Company Kern County Superior Court 20 Case No. S-1500-CV 254348 NFT 21 Diamond Farming Company vs. City of Lancaster 22 Riverside County Superior Court Lead Case No. RIC 344436 [Consolidated 23 w/Case Nos. 344668 & 3538401 24 25 I, BOB H. JOYCE, declare as follows: 26 1. I am an attorney at law, duly licensed to practice before all of the Courts of the State of California, and am a partner with the law firm of LeBeau - Thelen, LLP, attorneys of record for DIAMOND FARMING COMPANY, herein.

DECLARATION FOR ADDITIONAL DISCOVERY (REQUEST FOR ADMISSIONS)

- DIAMOND FARMING COMPANY hereby propounds to each Cross-Complaining
   Public Water Supplier listed on Exhibit 1 the attached set of Request for Admission [Set One].
- 3. This set of Requests for Admission will cause the total number of Requests for Admission propounded to each Cross-Complaining Public Water Supplier listed on Exhibit 1 to exceed the number of Requests for Admission permitted by Section 2033.030 of the Code of Civil Procedure.
  - 4. I have previously propounded no Requests for Admission to these parties.
  - 5. This set of Requests for Admission contains a total of sixty (60) Requests for Admissions.
- I am familiar with the issues and the previous discovery conducted by the parties in this
  case.
  - 7. I have personally examined each of the requests in this set of Requests for Admission.
- 8. This number of requests for admission is warranted under Section 2033.040 of the Code of Civil Procedure because this is highly complex litigation involving a large number of parties with an imminent Class Certification Hearing in August. The Requests for Admission are further warranted because of the expedience of using this method of discovery to provide to responding party the opportunity to conduct an inquiry, investigation, or search of files or records to supply the information sought.
- 9. None of the requests in this set of Requests for Admission are being propounded for any improper purpose, such as to harass the party, or the attorneys for the party, to whom it is directed, or to cause unnecessary delay or needless increase in the cost of litigation.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct and that this Declaration was executed on May 25, 2007, at Bakersfield, California.

BOB H. JOYCE

Exhibit 1

Responding Parties to Diamond Farming Company's Requests for Admissions [Set One]

California Water Service Company	
City of Lancaster	
City of Palmdale	
Littlerock Creek Irrigation District	
Los Angeles County Water Works District No. 40	
Palmdale Water District	TO THE RESIDENCE OF THE PARTY O
Rosamond Community Services District	
Palm Ranch Irrigation District	
Quartz Hill Water District	

## PROOF OF SERVICE

1 ANTELOPE VALLEY GROUNDWATER CASES 2 JUDICIAL COUNCIL PROCEEDING NO. 4408 CASE NO.: 1-05-CV-049053 3 I am a citizen of the United States and a resident of the county aforesaid; I am over the age 4 of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter 5 Drive, Suite 300, Bakersfield, California 93309. On May 25, 2007, I served the within REQUEST 6 FOR ADMISSIONS [SET ONE]; DECLARATION FOR ADDITIONAL 7 8 DISCOVERY 9 (BY POSTING) I am "readily familiar" with the Court's Clarification Order. Electronic service and electronic posting completed through www.scefiling.org; All papers filed 10 in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council. 11 Los Angeles County Superior Court Chair, Judicial Council of California 12 111 North Hill Street Administrative Office of the Courts Los Angeles, CA 90012 Attn: Appellate & Trial Court Judicial Services 13 Attn: Department 1 (Civil Case Coordinator) (213) 893-1014 Carlotta Tillman 14 455 Golden Gate Avenue San Francisco, CA 94102-3688 15 Fax (415) 865-4315 16 (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. 17 Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in 18 the ordinary course of business. 19 (OVERNIGHT/EXPRESS MAIL) By enclosing a true copy thereof in a sealed 20 envelope designated by United States Postal Service (Overnight Mail)/Federal Express/United Parcel Service ("UPS") addressed as shown on the above by placing said envelope(s) for ordinary 21 business practices from Kern County. I am readily familiar with this business' practice of collecting and processing correspondence for overnight/express/UPS mailing. On the same day 22 that the correspondence is placed for collection and mailing, it is deposited in the ordinary course 23 of business with the United States Postal Service/Federal Express/UPS in a sealed envelope with delivery fees paid/provided for at the facility regularly maintained by United States Postal Service 24 (Overnight Mail/Federal Express/United Postal Service [or by delivering the documents to an authorized courier or driver authorized by United States Postal Service (Overnight Mail)/Federal 25 Express/United Postal Service to receive documents]. 26 27 (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that the foregoing was executed on May 25, 28 2007, in Bakersfield, California.

DONNA M. LUIS

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA ELECTRONIC FILING - WWW.SCEFILING.ORG 1 c/o Glotrans 2915 McClure Street Oakland, CA94609 TEL: (510) 208-4775 FAX: (510) 465-7348 EMAIL: Info@Glotrans.com 3 4 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 5 IN AND FOR THE COUNTY OF SANTA CLARA 6 Antelope Valley Groundwater Cases (JCCP 4408) Antelope Valley Groundwater Cases Plaintiff, Lead Case No.1-05-CV-049053 7 Judge Jack Komar 8 Defendant. PROOF OF SERVICE AND RELATED ACTIONS **Electronic Proof of Service** 9 I am employed in the County of Alameda, State of California. 10 I am over the age of 18 and not a party to the within action; my business address is 2915 McClure 11 Street, Oakland, CA 94609. The documents described on page 2 of this Electronic Proof of Service were submitted via the 12 worldwide web on Fri. May 25, 2007 at 11:51 AM PDT and served by electronic mail notification. I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and 13 am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described 14 document's electronic service in the following manner: The document was electronically filed on the Court's website, http://www.scefiling.org, on Fri. May 25, 15 2007 at 11:51 AM PDT 16 Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided 17 instructions for accessing the document on the worldwide web. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and 18 correct. Executed on May 25, 2007 at Oakland, California. 19 Dated: May 25, 2007 For WWW.SCEFILING.ORG Andy Jamieson 20 21 22

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1	THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA ELECTRONIC FILING SYSTEM - WWW.SCEFILING.ORG
2	Electronic Proof of Service Page 2
3	Document(s) submitted by Bob Joyce of LeBeau-Thelen, LLP on Fri. May 25, 2007 at 11:51 AM PDT
3	1. Discovery (e-service only): REQUESTS FOR ADMISSIONS [SET ONE]; DECLARATION FOR ADDITIONAL DISCOVER
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